



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,746	09/07/2005	Julien Waligora	REGIM 3.3-054	3469

530 7590 04/03/2007  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090

EXAMINER
----------

WHITE, RODNEY BARNETT

ART UNIT	PAPER NUMBER
----------	--------------

3636

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/531,746

Applicant(s)

WALIGORA ET AL.

Examiner

Rodney B. White

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1-13, the phrase "such as", in claim 1, line 2, renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Also, the claims are filled with such vague, if not broad, language that they are difficult to understand. The phrase "at least three elements" is so vague. The term "elements" could be anything. Then the vague language "elements" is followed by "moveable". How are they "movable"? Finally the phrase "with respect to each other and connected respectively to the support and to the moving part with spatial alternation." It is not clear how one skilled in the art could construct the present invention by read the claims. A claim must be clear enough that one skilled in the art can build or construct the invention from reading the claim and construction would not be possible from reading claim 1.

Art Unit: 3636

Also, Applicant should rid the claims of the "characterized in that" language throughout the claims.

The aforementioned claims render the claims vague and indefinite. Clarification and/or correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Martens (U.S. Patent No. 3,350,135).

Martens teaches a device for locking the configuration of equipment, such as a seat, the device having a support and a moving part, the device comprising: at least three elements (the coils of brake 158) movable with respect to each other and connected respectively to the support and to the moving part with spatial alternation; means for clamping the elements to prevent a movement of the moving part with respect to the support; and an unlocking member to allow movement, the unlocking member being operable independently of the moving part, characterized in that the unlocking member is designed to cancel the clamping provided by the clamping means, further comprising characterized in that it comprises a screw and a nut forming a

Art Unit: 3636

reversible screw and nut assembly, one member of the screw and nut assembly being fixed with respect to rotation to at least one of the elements, while a second member of the screw and nut assembly is fixed with respect to rotation to the support, wherein characterized in that the screw and nut assembly is interposed between the unlocking member and the moving part in order to transmit movements from one to the other, characterized in that the unlocking member extends in a main axis of the device, further comprising a shaft to which at least one of the elements is fixed with respect to rotation, the unlocking member extending in a cavity of the shaft, coaxially with the shaft, characterized in that the unlocking member projects at an axial end of the shaft further comprising a casing, wherein at least one of the moving elements being fixed with respect to rotation of the casing by having a shape complementary to that of the casing, characterized in that there are at least four elements at least two of the elements being connected to the moving part and at least two other ones of the elements being connected to the support, characterized in that it comprises further comprising means for returning the moving part, designed to push the moving part in a predetermined direction, characterized in that wherein the clamping means comprises a spring characterized in that wherein the equipment is a vehicle seat , particularly an aircraft seat, characterized in that the moving part is a seat back.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Homier et al (U.S. Patent No. 3,356,411).

Homier et al teaches a device for locking the configuration of equipment, such as a seat, the device having a support and a moving part, the device comprising: at least three elements movable with respect to each other and connected respectively to the support and to the moving part with spatial alternation; means for clamping the elements to prevent a movement of the moving part with respect to the support; and an unlocking member to allow movement, the unlocking member being operable independently of the moving part, characterized in that the unlocking member is designed to cancel the clamping provided by the clamping means, further comprising characterized in that it comprises a screw and a nut forming a reversible screw and nut assembly, one member of the screw and nut assembly being fixed with respect to rotation to at least one of the elements, while a second member of the screw and nut assembly is fixed with respect to rotation to the support, wherein characterized in that the screw and nut assembly is interposed between the unlocking member and the moving part in order to transmit movements from one to the other, characterized in that the unlocking member extends in a main axis of the device, further comprising a shaft to which at least one of the elements is fixed with respect to rotation, the unlocking member extending in a cavity of the shaft, coaxially with the shaft, characterized in that the unlocking member projects at an axial end of the shaft further comprising a casing, wherein at least one of the moving elements being fixed with respect to rotation of the casing by having a shape complementary to that of the casing, characterized in that there are at least four elements at least two of the elements being

connected to the moving part and at least two other ones of the elements being connected to the support, characterized in that the elements are plates 51, characterized in that it comprises further comprising means for returning the moving part, designed to push the moving part in a predetermined direction, characterized in that wherein the clamping means comprises a spring characterized in that wherein the equipment is a vehicle seat, particularly an aircraft seat, characterized in that the moving part is a seat back.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Homier et al (U.S. Patent No. 3,356,411).

Homier et al teaches a device for locking the configuration of equipment, such as a seat, the device having a support and a moving part, the device comprising: at least three elements movable with respect to each other and connected respectively to the support and to the moving part with spatial alternation; means for clamping the elements to prevent a movement of the moving part with respect to the support; and an unlocking member to allow movement, the unlocking member being operable independently of the moving part, characterized in that the unlocking member is designed to cancel the clamping provided by the clamping means, further comprising characterized in that it comprises a screw and a nut forming a reversible screw and nut assembly, one member of the screw and nut assembly being fixed with respect to rotation to at least one of the elements, while a second member of the screw and nut assembly is fixed with respect to rotation to the support, wherein characterized in that

the screw and nut assembly is interposed between the unlocking member and the moving part in order to transmit movements from one to the other, characterized in that the unlocking member extends in a main axis of the device, further comprising a shaft to which at least one of the elements is fixed with respect to rotation, the unlocking member extending in a cavity of the shaft, coaxially with the shaft, characterized in that the unlocking member projects at an axial end of the shaft further comprising a casing, wherein at least one of the moving elements being fixed with respect to rotation of the casing by having a shape complementary to that of the casing, characterized in that there are at least four elements at least two of the elements being connected to the moving part and at least two other ones of the elements being connected to the support, characterized in that the elements are plates 51, characterized in that it comprises further comprising means for returning the moving part, designed to push the moving part in a predetermined direction, characterized in that wherein the clamping means comprises a spring characterized in that wherein the equipment is a vehicle seat, particularly an aircraft seat, characterized in that the moving part is a seat back.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Homier (U.S. Patent No. 3,398,986).

Homier teaches a device for locking the configuration of equipment, such as a seat, the device having a support and a moving part, the device comprising:  
at least three elements movable with respect to each other and connected respectively to the support and to the moving part with spatial alternation; means for clamping the



Art Unit: 3636

elements to prevent a movement of the moving part with respect to the support; and an unlocking member to allow movement, the unlocking member being operable independently of the moving part, characterized in that the unlocking member is designed to cancel the clamping provided by the clamping means; further comprising characterized in that it comprises a screw and a nut forming a reversible screw and nut assembly, one member of the screw and nut assembly being fixed with respect to rotation to at least one of the elements, while a second member of the screw and nut assembly is fixed with respect to rotation to the support, wherein characterized in that the screw and nut assembly is interposed between the unlocking member and the moving part in order to transmit movements from one to the other, characterized in that the unlocking member extends in a main axis of the device, further comprising a shaft to which at least one of the elements is fixed with respect to rotation, the unlocking member extending in a cavity of the shaft, coaxially with the shaft, characterized in that the unlocking member projects at an axial end of the shaft further comprising a casing, wherein at least one of the moving elements being fixed with respect to rotation of the casing by having a shape complementary to that of the casing, characterized in that there are at least four elements at least two of the elements being connected to the moving part and at least two other ones of the elements being connected to the support, characterized in that the elements are plates 38 and 40, characterized in that it comprises further comprising means for returning the moving part, designed to push the moving part in a predetermined direction, characterized in that wherein the clamping

Art Unit: 3636

means comprises a spring characterized in that wherein the equipment is a vehicle seat, particularly an aircraft seat, characterized in that the moving part is a seat back.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Tabor (U.S. Patent No. 3,424,492).

Tabor teaches a device for locking the configuration of equipment, such as a seat, the device having a support and a moving part, the device comprising: at least three elements movable with respect to each other and connected respectively to the support and to the moving part with spatial alternation; means for clamping 44 the elements to prevent a movement of the moving part with respect to the support; and an unlocking member to allow movement, the unlocking member being operable independently of the moving part, characterized in that the unlocking member is designed to cancel the clamping provided by the clamping means, further comprising characterized in that it comprises a screw and a nut forming a reversible screw and nut assembly, one member of the screw and nut assembly being fixed with respect to rotation to at least one of the elements, while a second member of the screw and nut assembly is fixed with respect to rotation to the support, wherein characterized in that the screw and nut assembly is interposed between the unlocking member and the moving part in order to transmit movements from one to the other, characterized in that the unlocking member extends in a main axis of the device, further comprising a shaft to which at least one of the elements is fixed with respect to rotation, the unlocking member extending in a cavity of the shaft, coaxially with the shaft, characterized in that

the unlocking member projects at an axial end of the shaft further comprising a casing, wherein at least one of the moving elements being fixed with respect to rotation of the casing by having a shape complementary to that of the casing, characterized in that there are at least four elements at least two of the elements being connected to the moving part and at least two other ones of the elements being connected to the support, characterized in that the elements are plates 50,52,54, characterized in that it comprises further comprising means for returning the moving part, designed to push the moving part in a predetermined direction, characterized in that wherein the clamping means comprises a spring characterized in that wherein the equipment is a vehicle seat, particularly an aircraft seat, characterized in that the moving part is a seat back.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al (U.S. Patent No. 5,280,999).

Jones et al teaches a device for locking the configuration of equipment, such as a seat, the device having a support and a moving part, the device comprising: at least three elements movable with respect to each other and connected respectively to the support and to the moving part with spatial alternation; means for clamping the elements to prevent a movement of the moving part with respect to the support; and an unlocking member to allow movement, the unlocking member being operable independently of the moving part, characterized in that the unlocking member is designed to cancel the clamping provided by the clamping means, further comprising characterized in that it comprises a screw and a nut forming a reversible screw and nut

assembly, one member of the screw and nut assembly being fixed with respect to rotation to at least one of the elements, while a second member of the screw and nut assembly is fixed with respect to rotation to the support, wherein characterized in that the screw and nut assembly is interposed between the unlocking member and the moving part in order to transmit movements from one to the other, characterized in that the unlocking member extends in a main axis of the device, further comprising a shaft to which at least one of the elements is fixed with respect to rotation, the unlocking member extending in a cavity of the shaft, coaxially with the shaft, characterized in that the unlocking member projects at an axial end of the shaft further comprising a casing, wherein at least one of the moving elements being fixed with respect to rotation of the casing by having a shape complementary to that of the casing, characterized in that there are at least four elements at least two of the elements being connected to the moving part and at least two other ones of the elements being connected to the support, characterized in that the elements are plates 118,123, characterized in that it comprises further comprising means for returning the moving part, designed to push the moving part in a predetermined direction, characterized in that wherein the clamping means comprises a spring characterized in that wherein the equipment is a vehicle seat, particularly an aircraft seat, characterized in that the moving part is a seat back.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rees, Garrod, Robinson, Griswold et al, Hernandez et al,

Art Unit: 3636


Pejathaya, Zinn, Gehart, Magadanz, Chen, Bonk, Nakamura et al, Stone et al, Berg et al, Lim et al, and Collins teach structures similar to the present invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Dunn can be reached on (571) 272-6670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rodney B. White,  
Patent Examiner  
Art unit 3636  
March 31, 2007



RODNEY B. WHITE  
PRIMARY EXAMINER